

REMARKS

Claims 1-14 remain in this application with claims 1 and 10 in independent form.

Applicant submits herewith Replacement Drawings Sheets for Figures 1 through 4. Figure 4 stands objected to for indicating the reference numeral "44" for both the power supply of the second electronic device 12 and the access point 20. As correctly indicated by the Office, the power supply of the access point 20 should be indicated by reference numeral 30. Therefore, Figure 4 has been corrected to reflect the power supply 30. Figures 2 and 3 have been amended to identify the hardwire link 52 as connecting the first electronic device 18 the network 13. Further, the reference numeral "22" has been added to Figure 1 to indicate the hardwire link 22 connected the access points 20 to the network 13. No new matter is believed to be present in these Replacement Drawing Sheets. It is believed that these Replacement Drawing Sheets overcome the outstanding rejection.

Applicant has also amended paragraphs [0021] and [0031] as suggested by the Office. Specifically, Figure 1 has been changed to Figure 5 in paragraph [0021]. In paragraph [0031], the reference numeral "50" following the hardwire link has been corrected to refer to reference numeral "52". As discussed above, Figures 2 and 3 have been amended to include the reference numeral "52". It is believed that these amendments overcome the objections to the specification.

Claim 1 stands rejected under 35 U.S.C. §102(b) as being anticipated by Curtis et al. (United States Patent No. 5,963,599). The Office contends that Curtis et al. discloses each and every limitation of claim 1. Rejection of a claim under 35 U.S.C. §102 requires that each and every limitation be found in the cited reference. If even a single limitation

of the rejected claim is not found in the cited reference a rejection under 35 U.S.C. §102 is improper and must be withdrawn.

Applicant respectfully submits that each and every limitation of claim 1 is not found in Katz et al. Specifically, Katz et al. fails to disclose each and every element as set forth in the claims, either expressly or inherently. Accordingly, Applicant traverses the 35 U.S.C. §102 rejection.

Claim 1 is directed toward a method of *securing access to a network (13) from a user (16) having a second electronic device (12)*. The network (13) includes at least one first electronic device (18) and at least one access point (20). The method comprises the steps of transmitting a radio frequency (RF) signal (48) from the first electronic device (18) and transmitting a radio frequency (RF) signal (50) from the second electronic device (12). Both the RF signal (48) from the first electronic device (18) and the RF signal (50) from the second electronic device (12) are detected *with the same access point (20)*. The method is characterized by *enabling the first electronic device (18) to allow the user (16) to access the network (13) and the first electronic device (18) in response to the access point (20) detecting the RF signals (48, 50) from both the first (18) and the second electronic devices (12)*. Said another way, the user (16) can only access the network (13) and the first electronic device (18) if the access point (20) detects both RF signals (48, 50). If this does not occur, then the first electronic device (18) will not be enabled, i.e., the user (16) cannot access it or the network (13).

Curtis et al. is directed toward an apparatus for providing a best estimate of signals transmitted over a Wireless Local Area Network (WLAN). The best estimate refers to receiving and decoding symbols or data encoded in the signals. As discussed in col. 1 and col. 2, in digital wireless communications, the wireless radio environment

presents many difficulties that impede successful communications. For example, one difficulty is that the signal level can fade; one of the reasons for fading is that the signal may travel multiple paths due to reflections, causing multiple signal images to arrive at the receiver antenna out of phase and in time-varying relationships. A second problem occurs when the multiple signal paths are much different in length and a third problem occurs when the signal is passed through a narrow band-pass filter at the transmitter, at the receiver, or at both the transmitter and receiver. Curtis et al. seeks to rectify these problems with the apparatus disclosed therein. Curtis et al. is not directed toward securing access to a network and does not disclose a user having a second electronic for accessing the network.

Further, the Office relies on col. 7, lines 63-col. 8, line 13 for the step of enabling the first electronic device. On the contrary, this citation only references computers connecting to one another wirelessly over a computer network, such as through an access point. Applicant is not claiming to have invented wireless, RF communication between a remote device and an access point. Instead, Applicant is claiming to have invented a method of securing access to a network or first electronic devices from a user having a second electronic device such that each of the devices communicate with the access point. Curtis et al. never discloses enabling a first electronic device to allow a user having the second electronic device to access the network and the first electronic device *in response to the access point detecting the RF signals from both the first and the second electronic devices*.

Since Curtis et al. does not teach or suggest the novel and unique limitation of enabling a first electronic device to allow a user to access the network and the first electronic device in response to the access point detecting the RF signals from both the

first and the second electronic devices, claim 1 is believed to be allowable. Further, claims 2-9, which depend directly or indirectly from allowable claim 1, are also believed to be allowable.

Claim 10 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Curtis et al. in view of Meier (United States Patent No. 5,673,031). The Office contends that Curtis et al. discloses a method of securing access to a network that comprises the steps of transmitting a signal from an electronic device to an access point, detecting the signal, and transmitting data through the access point. The Office states that Curtis et al. does not disclose measuring the signal strength with first and second access points, comparing a maximum signal strength to a predetermined threshold, and transmitting the data through the access point that measures a maximum signal strength. Thus, the Office contends that Meier discloses detecting and measuring signal strength in a wireless network and utilizes only signals meeting a minimum threshold such that it would have been obvious to modify the method of Curtis et al. in view of Meier to arrive at the limitations of claim 10.

Applicant respectfully submits that the Office has failed to establish a prima facie case of obviousness. Specifically, the Office has failed to provide a teaching or motivation to make the modification as suggested. The motivation to modify the cited reference must flow from some teaching in the art that suggests the desirability or incentive to make the modification needed to arrive at the claimed invention. The mere fact that the cited reference could be so modified would not have made the modification obvious unless the cited reference suggested the desirability of the modification. Further, even if the references could be combined, the Office has failed to show that the combination discloses each and every limitation as claimed in the subject application.

Claim 10 claims a method of securing access to a network (13) from a user (16) having a second electronic device (12). The method comprises transmitting a radio frequency (RF) signal (50) from the second electronic device (12) to establish communication with at least one access point (20) and detecting the RF signal (50) from the second electronic device (12) with a first (21) and a second access points (23). The strength of the RF signal (50) from the second electronic device (12) is *measured at the first and second access points (21, 23)*. Next, *a maximum measured RF signal (50)* strength detected by either of the first and second access points (21, 23) *is compared* to a predetermined threshold and a predetermined number of first electronic devices (18) *are enabled in response* to the detected RF signal (50) strength being above the predetermined threshold. The method is characterized by transmitting data from the second device through the access point (20) *which measures the maximum RF signal (50) strength* to the predetermined number of first electronic devices (18) thereby establishing communication between the first electronic devices (18) and the second electronic device (12).

Meier discloses a communication protocol to facilitate communication between roaming terminals, base stations, and host computers. The host computer and roaming terminals indirectly communicate through base stations. The roaming terminals collect data that must be communicated to the host computer and the host computer may communicate with the roaming terminals in order to download configuration information, database information or to send commands. The roaming terminals utilize a complex communication protocol in order to determine which base stations to communicate with. For example, the protocol may rely upon signal strength, cost, priority, and/or a present number to determine which base station is available.

As discussed above, Curtis et al. is directed toward an apparatus for providing a best estimate of signals transmitted over a Wireless Local Area Network (WLAN). Again, Applicant is not claiming to have invented a wireless, RF communication protocol. Neither Meier or Curtis et al. disclose, teach, or suggest, securing access to a network. In fact, the computers of Curtis et al. and the host computers of Meier are never described as disabled or locked to prevent access thereto by users.

The subject invention protects or limits access to potentially sensitive information stored on the network or on first electronic devices, such as computers, by only enabling the computers when the user is authorized or when the user is in close proximity such that the signal strength is above the predetermined threshold at either of the access points. Once the signal strength drops below the predetermined threshold, the computer is disabled to prevent unauthorized access to the vulnerable information.

In view of the above, one of ordinary skill in the art would not have looked to either Curtis et al. or Meier to arrive at the subject invention as claimed in claim 10. Further, there is no suggestion to modify Curtis et al. with the teachings of Meier when viewing the references as a whole. One of ordinary skill in the art of signal best estimation would not have looked to a redundant communication protocol disclosed in Meier to make any such combination.

Even if such references could be properly combined, each and every limitation set forth in claim 10 is not taught, disclosed, or suggested. Specifically, the subject invention enables and disables access to the first electronic device in response to the signal strength being above the predetermined threshold at one of the first and the second access points. Further, communication with the second electronic device is established through the access point that measures the strongest signal strength. As the user is moving about the

room, the access to the first electronic device is not interrupted so long as one of the first and the second access points are detecting the signal strength above the threshold. This is particularly advantageous for work areas that have multiple first electronic devices, such as computers, printers, telephones, copiers, and the like. If the user has to go the printer, the computer may remain enabled and vice versa.

Such steps are not taught, disclosed, or suggested by Curtis et al. or Meier, alone or in combination. Further, these novel and unique steps are not taught, disclosed, or suggested by any of the cited references, either alone or in combination. Therefore, it is respectfully submitted that claim 10 is believed to be allowable. Claims 11-14, which depend directly or indirectly from claim 10, are also believed to be allowable.

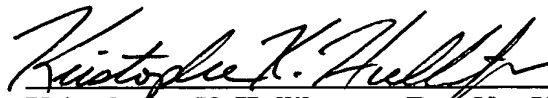
Accordingly, it is respectfully submitted that the Application, as amended, is now presented in condition for allowance, which allowance is respectfully solicited. Applicant believes that no fees are due, however, if any become required, the Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account 08-2789.

Respectfully submitted

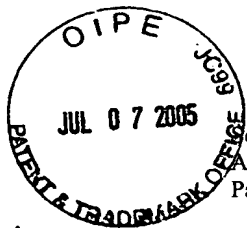
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July 7, 2005

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Serial No. 09/997,299
Art Unit: 2135
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CERTIFICATE OF EXPRESS MAIL

I hereby certify that the enclosed **Amendment** being deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope as "Express Mail Post Office to Addressee", Mailing Label No. **EV 612 858 367 US** and addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on **July 7, 2005**.



Melissa S. Dadisman

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